

**COMBINED NOTICE OF INTENT TO REQUEST RELEASE OF FUNDS  
AND FINAL NOTICE OF FLOODPLAIN ENVIRONMENTAL EVALUATION**

City of Salem, Dept. of Planning & Community Development (DPCD)  
98 Washington Street, Salem, MA 01970, 978 619-5685

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**NOTICE OF INTENT TO REQUEST RELEASE OF FUNDS FOR TIERED PROJECTS AND PROGRAMS**

On or after March 22, 2021, the City of Salem will submit a request to the U.S. Department of Housing and Urban Development for the release of Community Development Block Grant (CDBG) funds under Title 1 of the Housing and Community Development Act of 1974, as amended, to undertake the following Tier 1 Broad Review projects or activities that may be conducted from 7/1/20 through 6/30/25 (5-year period: FY21-FY25):

**Tier 1 Broad Review Project/Program Title: Single-Family Housing Rehabilitation**

Purpose: To eliminate health and safety conditions, code violations and barriers to accessibility in housing

Location: Owner-occupied housing units for low- and moderate-income (LMI) households

Project/Program Description: Provide financial assistance for owners to correct code violations, eliminate lead paint, make ADA improvements, and other work to meet Housing Quality Standards, including but not limited to improvements to livingrooms, kitchens, bathrooms, bedrooms, common areas, utilities, egress, roofs, windows, doors and siding, but not including new construction, footprint expansion or new below-ground disturbance.

Tier 2 site specific reviews will be completed for those laws and authorities not addressed in the tier 1 broad review for each address under this program when addresses become known.

Level of Environmental Review Citation: 24 CFR Part 58.35(a)(3)(ii)

Tier 2 Site Specific Review: The site specific reviews will cover the following laws and authorities not addressed in the Tier 1 broad review: Flood Insurance, Historic Preservation, Noise and Site Contamination

Mitigation Measures/Conditions/Permits (if any): For each specific address, a review will be conducted to determine if flood insurance is required, if review/approval by the Salem Historical Commission (SHC) and/or Massachusetts Historical Commission (MHC) is required or if it or nearby site is listed as contaminated with the EPA or MA DEP, or if the site is in the vicinity of railroads or major roadways, which may require mitigation.

Estimated Project Cost: \$811,400

**Tier 1 Broad Review Project/Program Title: Multi-Family Housing Acquisition and/or Rehabilitation**

Purpose: To eliminate health and safety conditions, code violations and barriers to accessibility in rental properties.

To increase the supply of affordable housing units in Salem.

Location: Housing units whose occupants shall meet the definition of low- and moderate-income (LMI)

Project/Program Description: Provide financial assistance for improvements to rental properties to correct code violations, eliminate lead paint, make ADA improvements, and other work to meet Housing Quality Standards, including but not limited to improvements to livingrooms, kitchens, bathrooms, bedrooms, common areas, utilities, egress, roofs, windows, doors and siding, but not including new construction, footprint expansion or new, below-ground disturbance. Assist non-profit housing developers to acquire rental properties for the purpose of rehabilitation into affordable units. There will be no increased density for these activities.

Tier 2 site specific reviews will be completed for those laws and authorities not addressed in the tier 1 broad review for each address under this program when addresses become known.

Level of Environmental Review Citation: 24 CFR Part 58.35(a)(3)(ii) and Part 58.35(a)(5)

Tier 2 Site Specific Review: The site specific reviews will cover the following laws and authorities not addressed in the Tier 1 broad review: Flood Insurance, Historic Preservation, Noise, Coastal Zone Management and Site Contamination

Mitigation Measures/Conditions/Permits (if any): For each specific address, a review will be conducted to determine if flood insurance is required, if review/approval by the SHC and/or MHC is required, if consultation with MA Office of Coastal Zone Management is required, if the property is listed as contaminated with the EPA or MA DEP, or if the site is in the vicinity of railroads or major roadways which may require mitigation.

Estimated Project Cost: \$352,850

**Tier 1 Broad Review Project/Program Title: Small Business Financial Assistance**

Purpose: To expand economic development opportunities for Salem businesses

Location: Downtown, LMI neighborhoods and other eligible businesses

Project/Program Description: Provide Business Loan and Storefront Improvement Programs to new or expanding small or microenterprise businesses for commercial rehabilitation including building code compliance and accessibility, but not including new construction, conversion of use, footprint expansion or ground disturbance.

Tier 2 site specific reviews will be completed for those laws and authorities not addressed in the tier 1 broad review for each address under this program when addresses become known.

Level of Environmental Review Citation: 24 CFR Part 58.35(a)(3)(iii)

Tier 2 Site Specific Review: The site specific reviews will cover the following laws and authorities not addressed in the Tier 1 broad review: Flood Insurance, Historic Preservation, Noise, and Site Contamination

Mitigation Measures/Conditions/Permits (if any): For each specific address, a review will be conducted to determine if flood insurance is required, if review/approval by the SHC and/or MHC is required, or if the property is listed as

contaminated with the EPA or MA DEP, or if the site is in the vicinity of railroads or major roadways which may require mitigation.

Estimated Project Cost: \$250,000

**Tier 1 Broad Review Project/Program Title: Park & Playground Improvements**

Purpose: To enhance the quality of life through investment in parks and playgrounds

Location: Downtown, LMI neighborhoods and areas that serve LMI households with potential locations that may include Peabody Street Park (15 Peabody Street), Charlotte Forten Park (289 Derby St.), Palmer Cove Park (30 Leavitt St.), Mary Jane Lee Playground (41 Palmer St.), Forest River Park (32 Clifton Ave.), Pickman Park (20 Lincoln Rd.), Collins Cove Park (32 Collin St.), Memorial/Irzyk Park (17-25 Fort Ave.), Winter Island Park (60 Winter Island Rd.), Salem Willows Park (165 Fort Ave.), Juniper Point Park (28 Beach Ave.), Furlong Park (20 Franklin St.), and Leslie's Retreat Park (318 Bridge Street).

Project/Program Description: Purchase/installation of equipment, lighting or landscaping materials, tree planting, installation of pedestrian circulation and/or removal of architectural barriers, minor repairs/alterations to existing structures, installation of public art and aesthetic improvements.

Tier 2 site specific reviews will be completed for those laws and authorities not addressed in the tier 1 broad review for each address under this program when addresses become known.

Level of Environmental Review Citation: 24 CFR Part 58.35(a)(1) and 24 CFR Part 58.35(a)(3)(iii)

Tier 2 Site Specific Review: The site specific reviews will cover the following laws and authorities not addressed in the Tier 1 broad review: Historic Preservation, Noise, Wetlands Protection, Coastal Zone Management? and Site Contamination

Mitigation Measures/Conditions/Permits (if any): For each specific address, a review will be conducted to determine if review/approval by the SHC and/or MHC is required, if review/approval by the Conservation Commission is required, if consultation with MA Office of Coastal Zone Management is required, or if the property is listed as contaminated with the EPA or MA DEP, or if the site is in the vicinity of railroads or major roadways, which may require mitigation.

Estimated Project Cost: \$549,820

**Tier 1 Broad Review Project/Program Title: Public Facility Improvements**

Purpose: To enhance the quality of life through investment in neighborhood public facilities

Location: Downtown, LMI neighborhoods and areas that serve LMI households.

Project/Program Description: Reconstruction, rehabilitation or improvement of existing public facilities (i.e. community centers, homeless or recreational facilities, fire stations, teen centers), including removal of architectural barriers, energy efficiency, purchase/installation of lighting or landscape materials, improvements through public art, paving, signage or aesthetics, or the cleanup of vacant lots, but not including new construction, expansion of footprint, new below ground disturbance or change of use.

Tier 2 site specific reviews will be completed for those laws and authorities not addressed in the tier 1 broad review for each address under this program when addresses become known.

Level of Environmental Review Citation: 24 CFR Part 58.35(a)(1) and 24 CFR Part 58.35(a)(3)(iii)

Tier 2 Site Specific Review: The site specific reviews will cover the following laws and authorities not addressed in the Tier 1 broad review: Flood Insurance, Historic Preservation, Noise and Site Contamination

Mitigation Measures/Conditions/Permits (if any): For each specific address, a review will be conducted to determine if flood insurance is required, if review/approval by the SHC and/or MHC is required or if the property is listed as contaminated with the EPA or MA DEP, or if the site is in the vicinity of railroads or major roadways which may require mitigation.

Estimated Project Cost: \$59,440

**Tier 1 Broad Review Project/Program or Activity Title: Street Improvements and Tree Planting**

Purpose: To enhance the quality of life through infrastructure investment

Location: Downtown, LMI neighborhoods and areas that serve LMI households (specific streets to be determined)

Project/Program Description: Planting of street trees, purchase/installation of landscape materials, paving of existing streets, sidewalk replacement, installation of curbcuts or crosswalks, installation of signage or other street improvements that remove architectural barriers, improve pedestrian access, public safety or aesthetics on existing city streets, and/or the purchase/installation of lighting, providing there is no new below-ground disturbance.

Level of Environmental Review Citation: 24 CFR Part 58.35(a)(1) and (2)

Estimated Project Cost: \$876,740

The activities proposed are categorically excluded under HUD regulations at 24 CFR Part 58 from National Environmental Policy Act (NEPA) requirements per the citations listed above. An Environmental Review Record (ERR) that documents the environmental determinations for these projects is on file at the DPCD and may be examined at <https://www.hudexchange.info/programs/environmental-review/environmental-review-records/>. The ERR is also available electronically, upon email request to [jguy@salem.com](mailto:jguy@salem.com).

**PUBLIC COMMENTS**

Any individual, group, or agency may submit written comments on the ERR to the City of Salem, DPCD. All comments received by March 20, 2021 will be considered by the City of Salem prior to authorizing submission of a request for release of funds.

### **ENVIRONMENTAL CERTIFICATION**

The City of Salem certifies to HUD that Thomas Daniel, Certifying Officer, in his capacity as Director, consents to accept the jurisdiction of the Federal Courts if an action is brought to enforce responsibilities in relation to the environmental review process and that these responsibilities have been satisfied. HUD's approval of the certification satisfies its responsibilities under NEPA and related laws and authorities, and allows the City of Salem to use HUD Program funds.

### **OBJECTIONS TO RELEASE OF FUNDS**

HUD will accept objections to its release of fund and the City of Salem's certification for a period of 15 days following the anticipated submission date or its actual receipt of the request (whichever is later) only if they are on one of the following bases: (a) the certification was not executed by the Certifying Officer of the City of Salem (b) the City of Salem has omitted a step or failed to make a decision or finding required by HUD regulations at 24 CFR Part 58; (c) the grant recipient or other participants in the development process have committed funds, incurred costs or undertaken activities not authorized by 24 CFR Part 58 before approval of a release of funds by HUD; or (d) another Federal agency acting pursuant to 40 CFR Part 1504 has submitted a written finding that the project is unsatisfactory from the standpoint of environmental quality. Objections must be prepared and submitted in accordance with the required procedures (24 CFR Part 58, Sec. 58.76) and shall be addressed to HUD Boston at [CPD\\_COVID-19OEE-BOS@hud.gov](mailto:CPD_COVID-19OEE-BOS@hud.gov). Potential objectors should contact HUD Boston via email to verify the actual last day of the objection period.

### **FINAL NOTICE AND PUBLIC EXPLANATION OF PROPOSED ACTIVITY IN SPECIAL FLOOD HAZARD AREAS (FLOODPLAIN)**

This is to give notice that the DPCD has conducted an evaluation as required by Executive Orders 11988 in accordance with HUD regulations at 24 CFR 55.20 Subpart C Procedures for Making Determinations on Floodplain Management and Wetlands Protection. The activities are funded under the CDBG program under HUD grant numbers B20MC250029-B24MC250029. The proposed projects are located in the City of Salem, Essex County:

**Park & Playground Improvements:** Purchase/installation of equipment, lighting and/or landscaping materials, tree planting, installation of pedestrian circulation and/or removal of architectural barriers, minor repairs/alterations to existing structures, installation of public art, and aesthetic improvements. Locations may include Peabody Street Park (15 Peabody Street), Charlotte Forten Park (289 Derby St.), Palmer Cove Park (30 Leavitt St.), Mary Jane Lee Playground (41 Palmer St.), Forest River Park (32 Clifton Ave.), Pickman Park (20 Lincoln Rd.), Collins Cove Park (32 Collin St.), Memorial/Irzyk Park (17-25 Fort Ave.), Winter Island Park (60 Winter Island Rd.), Salem Willows Park (165 Fort Ave.), Juniper Point Park (28 Beach Ave.), Furlong Park (20 Franklin St.), and Leslie's Retreat Park (318 Bridge Street).

### **Street Improvements and Tree Planting**

Planting of street trees, purchase/installation of landscape materials, paving of existing streets, sidewalk replacement, installation of curbcuts or crosswalks, installation of signage or other street improvements that remove architectural barriers, improve pedestrian access, public safety or aesthetics on existing city streets, and/or the purchase/installation of lighting, providing there is no new below-ground disturbance. Improvements will be undertaken in Downtown, LMI neighborhoods and areas that serve LMI households, with specific addresses to be determined.

The DPCD has considered the following alternatives and mitigation measures to be taken to minimize adverse impacts and to restore and preserve natural and beneficial values:

- Do nothing, which would prevent much needed improvements from being completed.
- Complete improvements only outside the floodplain area, which would exclude large areas of the city from the benefits of these improvements.
- Completing improvements inside the floodplain area will have no significant impact on the environment and will have the benefit of investing in lower income neighborhoods, areas designated as slums/blight or areas utilized by LMI populations. Since the improvements do not include substantial vertical construction, impact on flood storage is likely to be negligible. Appropriate erosion and dust controls will be controlled through best practices in construction. Activities proposed in or near wetlands will be reviewed by the Conservation Commission. Activities with negative impacts that cannot be adequately mitigated would be rejected.

The DPCD has reevaluated the alternatives to building in the floodplain and has determined that it has no practicable alternative. Environmental files that document compliance with steps 3 through 6 of Executive Order 11988, are available for public inspection and review upon request as delineated in the last paragraph of this notice for receipt of comments.

There are three primary purposes for this notice. First, people who may be affected by activities in floodplains and those who have an interest in the protection of the natural environment should be given an opportunity to express

their concerns and provide information about these areas. Commenters are encouraged to offer alternative sites outside of the floodplain, alternative methods to serve the same project purpose, and methods to minimize and mitigate impacts. Second, an adequate public notice program can be an important public educational tool. The dissemination of information and request for public comment about floodplains can facilitate and enhance Federal efforts to reduce the risks and impacts associated with the occupancy and modification of these special areas. Third, as a matter of fairness, when the Federal government determines it will participate in actions taking place in floodplains, it must inform those who may be put at greater or continued risk.

Written comments must be received by the DPCD at the following address on or before March 20, 2021: City of Salem, Dept. of Planning & Community Development, 98 Washington Street, Salem, MA 01970, Attn: Jane Guy, Assistant Community Development Director. A full description of the projects may be requested or comments may also be submitted via email to [jguy@salem.com](mailto:jguy@salem.com). Thomas Daniel, Certifying Officer